

Message Text

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70

ORIGIN L-01

INFO OCT-01 EUR-01 ISO-00 /003 R

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DRAFTED BY: L/EB:CJPITMAN

APPROVED BY: L/EB:JPITMAN

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FM SECSTATE WASHDC

TO USMISSION OECD PARIS IMMEDIATE

C O N F I D E N T I A L STATE 259337

FOLLOWING REPEAT STATE 259337 ACTION VLADIVOSTOK INFO
TOKYO DTD 24 NOV

QTE

C O N F I D E N T I A L STATE 259337

TOSEC 388

E.O. 11652: GDS

TAGS: ETRD

SUBJECT: JACKSON-VANIK AMENDMENT

REFS: (A) STATE 258281 (TOSEC 302); (B) USDEL VLADIVOSTOK
32

FOR SONNENFELDT FROM ALDRICH

1. FOLLOWING IS TEXT OF RELEVANT PART SENATE FINANCE
COMMITTEE REPORT WORKED OUT NOVEMBER 23 WITH COMMITTEE
STAFF FOLLOWING RECEIPT REF (A). REPORT, TO BE PRINTED
THIS WEEKEND, WILL CONTAIN THIS PASSAGE. BEGIN TEXT:
(PARA) THE COMMITTEE ANTICIPATES THAT AN AMENDMENT WILL
BE OFFERED DURING THE SENATE'S CONSIDERATION OF THE BILL
WHICH WOULD ALLOW A TEMPORARY, CONDITIONAL WAIVER OF THIS
PROVISION UNDER CIRCUMSTANCES TO BE SPECIFIED IN THE AMEND-
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MENT. THIS AMENDMENT WAS NOT AVAILABLE BY THE TIME THE

COMMITTEE ORDERED THE BILL FAVORABLY REPORTED, AND THE COMMITTEE HAS THEREFORE NOT HAD AN OPPORTUNITY TO STUDY OR TAKE A POSITION ON THE AMENDMENT. THE COMMITTEE WILL HOLD A HEARING ON THE AMENDMENT BEFORE THE BILL IS TAKEN UP ON THE FLOOR.

(PARA) THE COMMITTEE RESERVES THE RIGHT TO RECOMMEND TO THE SENATE SUCH AMENDMENT AS MAY BE NECESSARY TO CLARIFY THE PROCEDURES RELATING TO THE DETERMINATION OF FREEDOM

OF EMIGRATION AFTER CONDUCTING PUBLIC HEARINGS ON THE SUBJECT AND BEFORE CONSIDERATION OF THE BILL ON THE FLOOR OF THE SENATE. IN THE CASE OF FREEDOM OF EMIGRATION FROM THE SOVIET UNION, THE FOLLOWING EXCHANGE OF LETTERS BETWEEN SECRETARY OF STATE HENRY A. KISSINGER AND SENATOR HENRY M. JACKSON (D. WASH.) SETS FORTH CERTAIN UNDERSTANDINGS WITH RESPECT TO PERSONS WISHING TO EMIGRATE FROM THE SOVIET UNION. (KISSINGER-JACKSON LETTERS INSERTED.)

(PARA) THE COMMITTEE HOPES THAT THIS SECTION (402) WILL PROVIDE AN INCENTIVE TO THE SOVIET UNION AND OTHER COUNTRIES TO DISCONTINUE RESTRICTIVE EMIGRATION PRACTICES IN THE INTEREST OF DEVELOPING ECONOMIC RELATIONS WITH THE UNITED STATES. THE COMMITTEE RECOGNIZES THAT SEGMENTS OF THE PRIVATE SECTOR WISH THE U.S. GOVERNMENT TO PROVIDE CREDITS, INVESTMENT GUARANTEES, PROTECTION OF PRIVATE PROPERTY RIGHTS AND OTHER CONDITIONS BEFORE PRIVATE CAPITAL INVESTMENTS ARE VENTURED. THE COMMITTEE BELIEVES THAT IT IS EQUALLY REASONABLE TO ESTABLISH CONDITIONS ON ALL BASIC HUMAN RIGHTS, INCLUDING THE RIGHT TO EMIGRATE AS WELL AS BASIC PROPERTY RIGHTS, BEFORE EXTENDING BROAD CONCESSIONS TO COMMUNIST COUNTRIES. END TEXT.

2. COMMITTEE REPORT IN EFFECT DEFERS PROBLEMS RAISED BY ORIGINAL PARAGRAPH CONTAINED PARA 4, REF (B). SOLUTION TO PROBLEM OF HOW WAIVER AUTHORITY WOULD APPLY TO COUNTRIES OTHER THAN USSR WILL HAVE TO BE WORKED OUT PRIOR TO YOUR TESTIMONY DECEMBER 3 IN ORDER TO AVOID HAVING COMMITTEE OR INDIVIDUAL SENATOR PROPOSE UNWORKABLE FORMULATION ON SENATE FLOOR. WE ARE WORKING ON CONFIDENTIAL

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TEXT OF WAIVER PROVISIONS. INGERSOLL UNQTE INGERSOLL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 25 NOV 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: MorefiRH
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE259337
Document Source: CORE
Document Unique ID: 00
Drafter: L/EB:CJPITMAN
Enclosure: n/a
Executive Order: RR
Errors: N/A
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From: SECSTATE WASHDC
Handling Restrictions: n/a
Image Path:
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Line Count: 108
Locator: TEXT ON-LINE
Office: ORIGIN L
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: MorefiRH
Review Comment: n/a
Review Content Flags:
Review Date: 06 MAY 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <06 MAY 2002 by cunninfx>; APPROVED <20-Nov-2002 by MorefiRH>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: JACKSON-VANIK AMENDMENT
TAGS: ETRD
To: OECD PARIS
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005